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ABSTRACT

The political styles of various English-speaking groups are contrasted in their resistance to Quebec legislation which declares that French will be the priority language of instruction in the province. Individuals and ad hoc immigrant groups operate conflictively in a distributive arena; English Catholic laymen and school administrators function pragmatically in a regulatory arena; and an English Protestant peak association challenges the redistributive aspects of the new legislation through judicial channels. Implications for the different approaches are suggested. (Author)

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BILL 22 vs. "THE ENGLISH" -- A CASE OF LANGUAGE POLITICS*

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I. In which an overview of francophone-anglophone relations in Quebec is offered, after which a theoretical model is introduced to shape this analysis.

In Survival: A Thematic Guide to Canadian Literature, Margaret Atwood suggests that victimization is the underlying theme of most of the imaginative writing by Canadians about themselves. The land is harsh, bitter cold in the winter, burning hot in the summer. The animals are doomed, slaughtered. The Indians suffer or inflict suffering. By and large the explorers don't find much of anything, except death. Settlers do succeed in imposing some order on the raw new world, only to lose their life-force in the struggle. Families are impossible to break away from. Artists either stay in their indifferent communities and comply, or else they escape into nothingness. Men, women, babies -- they all pass Atwood's scrutiny. They all seem impaired by Canadian circumstances.

One who can regard himself in victimization terms is the Quebecois or Quebec francophone -- that is, an inhabitant of Quebec who understands French better or at least as well as any other language and who uses it as his primary medium of thought and communication in informal situations. Such a person can take a page from the pessimistic writings of native historians

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* Prepared for presentation at the Annual Conference for Comparative and International Education, Ontario Institute for Studies in Education, February 25-27, 1976. My original assignment was to discuss Bill 22 as an ideology that authorities were implementing. The more I probed this subject, however, the more I was attracted to the possibility of turning the focus around: it seemed more intriguing to look at the various minorities who were adjusting to the Bill qua political ideology of the French majority.

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and posit that the Conquest in 1759 not only scuttled French dreams of a vast colonial empire in North America but also stunted the natural development of a bourgeois, contributing in time to French-Canadians being negatively stereotyped as an "ethnic class" of economic inferiors, unskilled or skilled labor and white-collar workers. With such a perspective, one who calls for the preeminence of the French language in Quebec supports the cultivation of motivated, aggressive, and efficient French entrepreneurs who don't have to speak in English to anglophone superiors.

Or in keeping with a neo-Marxist view which has many adherents among Quebec intellectuals, labor leaders, and voters, the francophone can perceive that colonial interests of possessing Anglo Saxons have exploited him for three centuries. In this dynamic, the affirmation of the French language is a step forward to the eventual overthrow of an outgroup. With French primacy, the Quebecois can determine his own future, which can include secession from Canada.

Other themes of victimization and retribution can be cited. Even in an era when much film and television is dubbed from English into French, the francophone can react adversely to the dominant media of his continent. In a habitat where almost five-sixths of the province's six million persons are of French extraction, he can try to resist those anglicizing influences. His affirmation of the French language can help preserve the vigor and quality of his national heritage. His language can be the most apparent characteristic of his culture, the symbol of his ethnic group's collective existence in North America. Perhaps his language can be his only real defense against outsiders.

Finally, the Quebecois can ponder the concept of provincial autonomy. It was incorporated into the nation's constitution in 1867 to protect French-Canadian interests, but that notion turns out to have been the device by which

other provinces have refused equality to francophones. Beyond the borders of Quebec, where English Canada is perceived to begin, English majorities have limited the opening of French-speaking schools in francophone communes. In that light, to proclaim French as Quebec's official language is to return a restriction with a restriction, i.e., to respond to such restrictions as the Manitoba Act of 1890 and Regulation 17 in Ontario with restrictions over anglophones in the heartland of French Canada. "It's always tragic to be a minority," a Quebecois can say in reference to the dwindling status of anglophones in his province, "that's why we want to be a majority."

This paper is about the ways in which Quebec's anglophone minority has been responding to the political will of a French majority. As the focus is on public education at the elementary and secondary level, no coverage is given of anglophone reactions to recent attempts to frenchify advertising and labeling, utility services, public administration, and the professions. Hence there is no discussion of the unusual campaign in 1975 which was launched by the Montreal English radio station CFCF. It prompted 599,000 persons to each contribute a quarter for adding their names to a telegram sent to Prime Minister Pierre Trudeau and Quebec Premier Robert Bourassa. The cable solicited a repeal or amendment of recent linguistic legislation, but no education particulars were mentioned.

What the 599,000 were repudiating was a break in their daily routines as consumers and producers that could be mandated by Bill 22 (less commonly known as the Official Language Act of Quebec). "Le francais est la langue officielle du Québec," the province's National Assembly declared on July 31, 1974 in this complicated bill, one that some business and community leaders in the anglophone community had made representations against. The new law also was printed in English, allowing unilingual anglophone Quebecers to read on that "French is to be the language of instruction in the schools."

The National Assembly waited until a later paragraph to add that authorities "shall continue to provide instruction in English." The extent of that allowable English education has been at issue in the ensuing months. With a mixture of fear and resentment, anglophones saw the Bill as a blow to their civil liberties, even though for the first time in federal or provincial history the schools of a minority were given legal protection as long as their own children would apply. Another innovation in the Bill was the provision that English was to be the second language of the province's francophones. Many anglophones were not impressed: they saw the legislation as a ploy to assuage French reparatists.

In the three sections that follow, we argue that Quebec's latest legislative package for reconciling the province's ethnic groups has given rise to distributive, regulatory, and redistributive issues. Each issue has a distinct character. Note is made of the prime anglophone activists in each issue, of the elements they are pitted against, of their tactics.

While our division of one law into three policy issues is somewhat different than his conceptualization, our analysis is dependent on Theodore Lowi's major theoretical work on the three functions of central governments. Writing in World Politics some years ago, Lowi extended the term "distributive," which had been used for 19th century land policies for railroads, to describe the sort of governmental services which are doled out on a case-by-case basis. "Distributive policies are virtually not policies at all," but decisions which confer benefits on individuals or firms. As Lowi went on to explain, only by accumulation can such aid, indulgence, favoritism, or patronage be called a policy.

Regulatory policies, on the other hand, are not so susceptible to the thoroughgoing disaggregation and dispensation of pork-barrel distribution.

The issues of regulatory politics are the choices about the categories of people who will be indulged and deprived. In setting down specific conditions under which groups can and cannot operate, this second sort of public policy expands or limits alternatives.

Thirdly, redistributive policies (like regulatory ones) have all their individual features interrelated by some overarching rationale. But it is with redistribution that the impact approaches social classes most broadly. The aim is to favor some well-defined chunks of population at the expense of others, to manipulate the environment to yield new rewards for certain identifiable units.

These policy orientations are not new to Quebec education. From the early 1960s, when education was modernized under a central lay leadership, provincial authorities have had activities in each of these arenas. The Ministry of Education has distributively supported school boards who substantiate their need for exceptions to fiscal and personnel limitations. Often these subsidies have been related to some announced objective of the Ministry such as decentralization. But encouragement also has been given for projects which appear more or less in isolation from other provincial grants and from any general rule, e.g., a study on the effectiveness of the four-day school week.

In its regulation-making, the Ministry has been prodigious. Its intricate prescriptions have reduced the cultural distance between the francophone and anglophone curricula , i.e., science no longer is honored only in the English schools, while classical literature, philosophy, and religious studies do not preoccupy francophone students any more.

As for redistribution, the province's commitment to an education of equal opportunity has led the Ministry to operationalize "ratrappage" -- through its reform of taxation and its control over budgets and policies, have-not Catholic boards gained funds which permitted them to "catch up" with well-to-do Protestant

boards. In the meantime, those Protestant authorities had to boost their average class size, hold down the salaries of their staff, and otherwise forego some of the advantages of their autonomy that they prized most.

What interests us in these pages is not so much the provincial government's postures but the maneuverings of the anglophones who are trying to effect the authoritative allocations of society. Thus we heed individuals and ad hoc immigrant groups who vie frequently with decision-making elites for distributive exceptions to Bill 22. We notice English Catholic educators concentrating on regulatory politics. We find a Protestant "peak association" going after the redistributive dimensions of the law.

Of course individuals and ad hoc groups do not ignore the regulatory and redistributive aspects of linguistic legislation, any more than English Catholics or Protestants neglect issues in other arenas. Nor is it claimed here that <u>all</u> individuals, ad hocracies, anglophone Catholics, or Protestant policymakers are wrestling with the government over Bill 22, or that all persons of English origin or affinity have some quarrel with the law. Our suggestion is only that the complexities of the minority's response can begin to be portrayed by looking at the main tent in which the most visible political actors are functioning.

II. On the individuals and ad hoc immigrant groups who have been the major activists for education in Bill 22's distributive arena.

Prior to Bill 22, a few thousand French students every year began their schooling in English institutions. Either they started in anglophone Catholic primary schools or they transferred into business and secretarial courses at the secondary level. Since Protestant boards did not require French Catholics to abjure their religion, about 12,000 francophones throughout the province were attending English Protestant classes in 1974.

Bill 22 decreed that the only children who could go to English schools were those whose mother tongue was English, i.e., English was the first language

learned and spoken at home. Disappointed or displeased with this restriction, anglophone educators have observed that ultimately the French will fault their politicians for so deprieving their youth of the chance to become bilingual. To date, however, a perceptible backlash to this aspect of the Bill has not emerged publicly.

Instead it is increasingly common for the Quebecois not to use much English. Attracted to a vision of Quebec as an independent nation, French students typically are led to consider the acquisition of English as a form of submission to the Anglo-Saxon "boss." Seniors in French high schools may pass the Ministry's English exams, but they have difficulty thereafter in working with English texts in their colleges and universities. A paucity of qualified English teachers also keeps most French youngsters from proficiency: only seven percent of the English classes in the French sector of the Montreal Catholic School Commission, for instance, are instructed by second-language specialists -- as compared to French classes in the Commission's English sector, where 70 percent of the staff qualify as specialists. The result, one francophone school commissioner has remarked with dissatisfaction, is that most graduates "have a hard time even stumbling along in the second language."

Bill 22's first cause célèbre involved an individual who apparently wanted to do better than just stumble along. Carol Brophy was a six-year-old whose mother only spoke French. Her Irish father was bilingual, but her contact with him was diminishing since her parents recently had divorced and she was starting to live with her mother in a rural locale which was almost entirely French-speaking. Both parents wanted their daughter to retain her bilingualism by continuing to attend an English school; there she could build on her immersion the year before in an English kindergarten when she had lived with her father in a more urban community. When the rural French-controlled commission assigned the girl to a French school on the grounds that French was her mother tongue,

the father interested the English press in this case of someone who had learned two languages from the start. The father characterized his daughter as the victim of discrimination, but he did not presume to speak for the rights of any others than his particular child.

His conflictual approach failed to persuade the rural board to reverse its assignment. But then one of the anglopone cabinet ministers and the Minister of Education brokered an extra-legal arrangement: the girl could go to an English school operated by a neighboring Catholic board. Later when the Ministry indicated that the Bill did not discriminate against bilingual children, the English media had occasion to claim that its pressure had helped dissolve some of Bill 22's original ambiguity. A victory of sorts had been won by the English.

Victor Goldbloom, another one of the anglophone cabinet ministers, was not so sure. Referring to the number of school children then in the province, he said that the case was more like "1 in 1,150,000." In the main, he may be right: a precedent was established for a bilingual individual who wanted to enter English Grade One, who was living with a divorced unilingual French parent, after having gone to an English kindergarten, and after transferring from a bilingual community to a largely unilingual French setting.

Special arrangements also have been made after pressures from ad hoc groups of concerned or militant immigrant parents. Neo-Canadians from southern and central Europe, Asia, and Africa feel that the Bill is aimed at them, for unless they can demonstrate aptitude in understanding, speaking, and writing English, they no longer have the freedom to select a language of instruction for their children.

Italians compose about 90 percent of this bloc. There was a time, early in this century, when Italian immigrants did try sending their children to

French schools in Quebec. These parents knew French themselves, or they found it an easy language to learn, or they felt some cultural commonalities with the Quebecois. Often, though, their children were sent down the street to the English Catholic school by francophone principals -- their names were not "French" enough, the mother that accompanied the children to registration was obviously Italian, etc. After some immigrants did manage to enrol, their individualism sometimes rubbed the French the wrong way, since individualized instruction and child-centeredness were not goals of most French schools until very recently. Not surprisingly, as a byproduct of immigrant children failing or dropping out of francophone schools, a loyalty developed among immigrants to the anglophone schools where success seemed easier to earn.

It is important to add that English schools came to be seen by the immigrants as better preparing their children. Mastery of English led to financial security in Quebec -- where, overall, the francophones were less educated, earned less, invested less, and were more often unemployed than anglophones. English led too to mobility within North America, where many immigrants originally had wanted to settle, often near relatives.

If the teaching of English in the French schools were effective, it is conceivable that many Italian parents today would have little objection to complying with Bill 22 and sending their children to French schools. But the French teachers union does not favor too early or extensive instruction of English in francophone schools: it could endanger the survival of the French language and retard the nationalist movement in Quebec.

Since the bulk of immigrants have set up households in Montreal, the English sector of that city's Catholic school commission grew from several thousand in the mid-1950s to about 44,000 in the early 1970s. At that later time, only 25 percent of the student population listed English as their mother tongue. In the same 15-year time span, the birthrate of the francophone population fell

from Canada's highest to its lowest: it dropped by 50 percent, twice that of the anglophone group, including the immigrants. To help offset that drop, French educators recommended the establishment of compulsory courses in their schools; this curriculum would "lead young people and adults to a consciousness of the richness and fundamental human values in having a family." That course of study also "would make them aware of the peril to our collective security from the declining birthrate." Otherwise, as demographers at the francophone University of Montreal forecast, by the year 2000 the French population in Quebec's premier city of Montreal was likely to slip from 64 to 52 percent.

How else to offset the almost total integration of immigrants into the English community? The French sector of the Montreal Catholic School Commission initiated special welcoming classes which prepared newcomers to enter French schools. Immigrant families were warmly met at the plane and shown around to French institutions. Francophone educators organized symposia for each other on how to be more accepting of immigrants. Still only about one out of every ten immigrants finally enrolled in the French side. Some francophones worried that, at this rate, English-speaking Catholics might someday dominate and even question the very viability of continuing the francophone sector. But with an assist from Bill 22, the French could welcome all the immigrant children and the balance might be tipped in the francophone favor. In some circles, it is said that the Italians made especially vulnerable targets for this firm sort of channeling; a fair number of them do not take out citizenship papers and thus are ineligible to vote against legislators that they disapprove of.

From research on inter-ethnic relations in Montreal, Paul Cappon concludes that these Italians, moreso than Poles, Ukranians, Spanish, or other immigrant groups, often are the francophones' scapegoats for Anglo-Saxons. Cappon

reports that the Anglo-Saxon often escapes direct attack for, as much as he may have had a hand in thwarting the ambitions of the Quebecois for economic and political institutions that go along with some sort of national autonomy, he still is positively (if grudgingly) associated in the francophones' minds with the recent development of their industrial economy and improvements in their standards of living. Living on the margins of the English elite, Italians especially catch francophone resentment. They compete for similar jobs and even though they are fellow-Latins, neighbors, and in-laws, the Italians consistently have refused to identify themselves with the French push for cultural sovereignity.

Early in the fall of 1974, as French nationalists talked of setting up "vigilance committees" to survey the implementation of Bill 22, a group of fifteen Italian-Canadian educators asserted a measure of their own cultural sovereignity. They established the Consiglio (advice, in Italian). Subsequently on Saturday mornings, the Consiglio provided underground schools where Italian preschoolers could be tutored in English to pass the language tests that Bill 22 had required for access to anglophone schools. Out of fear that the provincial government would try to punish those connected with this nonprofit enterprise, the identities were not divulged of the Consiglio's founders, of the students, of the parents who regularly accompanied their children to the classes and supervised their English homework during the week, of the private sources who paid for the expenses and materials of the 100 teacher volunteers, or of the Italian parish priests who permitted the schools to be held in their church basements. After the newspapers reported on these operations, Premier Bourassa said that he was prepared to amend Bill 22 if the clandestine classes subverted his government's linguistic policies. But Quebec never did find a pretext to close the schools down, nor was the law changed to outlaw preschool tutoring in English. The 1000 or so tutees may

not have been of magnitude enough to merit escalating anglophone anxieties.

Children from the underground schools did acceptably well on the subsequent language tests. Some failed, but many of their parents promptly registered appeals for retesting.

Again in 1976, if an immigrant child does not know enough English to pass a test, sooner or later his parents may find a friend who can give private English tutoring. Once more there are informal arrangements among those Italians in the know: agents of the Consiglio are working again with preschoolers to develop their skills in sentence-formation and word usage. It has been estimated that as many as 1000 children on the Island of Montreal again are being prepared in underground schools at present, but this is only an informed guess since these schools are operating much more covertly this year. It is anticipated that the Ministry will continue to entertain appeals from those who are ranked low on tests they take. And if as many children sign up to take the tests this year as last, to some extent admission policy will once more be disaggregated and dispensed by bureaucrats, unit by unit, into more than 3000 separate decisions involving as many individuals.

Another example of the almost infinite amount of disaggregation typical of distributive politics can be seen in the resolution to a controversy surrounding several hundred immigrant children in the Montreal suburb of St. Leonard, a stronghold of Quebecois nationalism. Since 1967, the town's majority has sought to phase out ~~English~~ bilingual schools. In this vein, it has fostered reorganizations which dissolve ~~English~~ bilingual schools and scatter anglophones into classes subsumed in buildings managed by unilingual French principals. It has discouraged anglophone teachers from speaking English in teachers' lounges shared with francophones. It has refused to open English kindergartens if that would mean that French teachers would have to be laid off.

In 1974, the French-controlled Catholic commission for St. Leonard cut back

on its English kindergarten by failing to notify certain parents of the proper registration dates, by convincing others that French kindergartens offered superior equipment and more specialists, and by saying that a qualifield anglophone kindergarten teacher was not available. The suburb's affected immigrant parents agreed to send their children to French kindergartens on the verbal understanding that they could enroll their offspring in English Grade One. There was precedent for this sort of transfer in the system.

Yet in September, 1975, even after these immigrant children had passed English aptitude tests, the Commission attempted to direct the new first-graders into a French school. In so doing, the Commission was following Bill 22's regulations which permitted English instruction in a school system to be increased only for those whose mother tongue is English. Immigrant parents were alarmed over the "bad faith" of the authorities and refused to send their children to the assigned places.

Minister of Education Jerome Choquette agreed with the Commission; the choice of a school was not a basic right, he said. Ultimately, however, he did offer the children 45 minutes a day of extra English teaching, a concession since English instruction in French schools usually does not begin until Grade Five. An ad hoc group of Italian parents had organized themselves around this issue, and they firmly rejected Choquette's offer. Choquette, known as a law-and-order Minister of Justice before he accepted the Education portfolio, would not take a soft line by indulging the protesters. They meanwhile furnished formidable resistance which was heavily publicized.

Then Choquette asked his cabinet colleagues to change the law "to determine with precision the rights of individuals," such as Italians who had been living in Quebec for some time. When the Quebec cabinet declined and instead instructed

him to find a solution that accorded with the Bill, Choquette resigned, saying that the Bill was "impossible to administer."

With some largesse, Choquette's successor rather speedily produced a solution that ended the parents' month-long boycott of the schools. Raymond Garneau set aside more than 200 places in English schools for some of the children who had been the object of the controversy. Garneau insisted that his liberal interpretation of the Bill was "more humanistic than legalistic." At the same time, it respected the spirit of the law, he said.

Choquette found this ignoring of Article 40 to be devious, full of superficial compromise, and illegal. One could also remark that this bending of the law and this pulling-back from confrontation is the distributive stance for a government, a stance that is so hospitable that it tends to disarm individual or ad hoc group opposition. The Minister disaggregated the enrollment policy to take cognizance of considerations of precedent and moderation.

In this episode and in the matter of the underground schools as well, those who organized others to get around Bill 22 repeatedly said that they were not anti-French in their dispositions. All they wanted, they said, was for everyone to have freedom of choice. To a degree, they were opting for the ultimate disaggregation of admission policies into 1,150,000 private decisions. These Italians, then, were relating to other citizens and parents with an attitude approximating mutual non-interference; they seemed to espouse a mutuality where it is proper for each individual to seek indulgences for himself but improper to oppose freedoms sought by others.

III. An account of the policy environment in which English Catholics are encapsulated, and how their officials have sought pragmatic accommodations in Bill 22's regulatory arena.

The fate of the English Catholics in Quebec is to come under the jurisdiction of the French Catholic majority, Prior to the centralization of

education during the 1960s, these anglophones were able to run their own schools whenever they were numerous enough in a locality to get together and elect English-speaking Catholic commissioners; in turn, those commissioners would hire English-speaking Catholic teachers and administrators. But in recent years, the provincial government has consolidated hundreds of school boards, leaving those anglophone Catholics encapsulated in organizational structures where francophone commissioners and functionaries prevail.

Although the English operate systems which parallel the French ones, the French rule, if sometimes indirectly. Symbolic of the substance of the relationship is the comment of a francophone commissioner who had just heard evidence from an anglophone administrator that the English Catholics did not have as many specialists assigned to their regional offices as the French did: "You English make us feel guilty -- and then we give you what you want."

The tension between the two sectors can be seen most vividly in Canada's largest system, the aforementioned Montreal Catholic School Commission (MCSC). Because the flow of resources into the French and English sectors of this organization is so extensive, MCSC has been a particular concern of those in the Ministry charged with implementing the educational sections of Bill 22. Also because it has almost three times as many anglophone Catholics as any other system in Quebec, MCSC's Division of English Studies speaks with some authority for other anglophone educators who are dedicated to transmitting the culture of Catholicism. That Division has been robustly involved in competing for resources under Bill 22, and so it seems appropriate to look closely at the opportunities it has been seizing.

Robert Lavery is the unit's chief administrator. He has been forthright in articulating his concern that if Bill 22 is stringently enforced, the size of his sector could be cut in half by 1985. Caring as leaders inevitably do

about the maintenance and enhancement of their organization, Lavery and his three anglophone commissioners have indicated that a "comfortable limit" for their Division would be 44,000 students, about its present size. This goal of stability may put these anglophones onto a collison course with MCSC's French sector, with its 100,000 additional students and its thirteen more commissioners who generally prefer seeing their own Division grow by siphoning off those Catholic immigrants who have been affiliating with anglophones.

The wholesale induction of Italian school beginners into the French side is something that MCSC anglophones have been resisting. They claim that the required language tests may split ethnic families, as the youngest siblings have to start in French schools while older brothers and sisters continue in English institutions. They say this poses a handicap for those ethnic families which rely very much on their older children to help the smaller ones adjust to schools and to society in general. Attributing the "inhuman possibility" of a family split to bureaucrats in Quebec City who do not understand (or want to understand) the social structure of Montreal, MCSC anglophones were able to strike responsive chords with their francophone superordinates. The French MCSC feel overly constrained themselves by remote officials off in the provincial capital. So at MCSC, the French majority saw fit to exempt from their francophone schools the younger siblings of children already in English schools. Other French-dominated Catholic commissions did not allow this waiver.

Up to now, anglophones have been less successful at MCSC in attempts to eliminate tests for Italian school beginners who were born in Quebec. Perhaps as many as 75 percent of MCSC's usual enrolment falls into this category, often growing up in extended-family situations where grandparents are present and the "old-country" language is spoken at home. The English make the point that these

children are second, third, or fourth generation Canadians and that they should have the right to select which linguistic option they want. So far, few francophones have been swayed.

The preceding advocacies seem to stem from a grasp of how the nuts and bolts of Bill 22 will impact usual anglophone constituencies. This concreteness can be seen too in the specific messages sent through private channels by the English authorities at MCSC who suggested modifications to the Bill's draft regulations. Among the querries were the following: In paragraph 3, what does "take into account" mean? In article 6, should the three implicit categories of students be expressed more directly and unequivocally? Should the pass-fail standards for the tests be determined by local experts instead of provincial ones? As it happened, the anglophones could not win enough support from their francophone commissioners to support these and other suggestions and so the English commissioners filed a minority report with the Minister. "If we decide to do nothing," one of those anglophone commissioners said, "the government will lead us down the garden path." In time, the Minister did accept a number of the pragmatic suggestions made by the anglophone Catholics.

If MCSC's anglophone principals had followed the lead of their central office directorate, the revised regulations might have enabled the English to gain more students and better justify their staff positions. That is, at one time it would have been possible for principals to agree to interview immigrant children wishing to enter their schools. MCSC might have been willing to let its anglophone principals decide if different children had the ability to cope in an English milieu. Those principals, however, would have nothing to do with implementing a law they so strongly disliked, and as a result teams of English-language teachers from MCSC's French sector ended up conducting interview-tests. Purportedly those exams were more rigorous than those the English principals

could have given.

Yet even in declining to rule on the admissibility of immigrant children, these principals minimized rhetoric and addressed themselves directly to pedagogical concerns. They made a case that the government's proposed linguistic tests lacked reliability and validity. In a brief to the Minister, the principals questioned whether the tests would be culture-free and whether they would penalize those who were culturally deprived or underdeveloped intellectually. The principals commented on the greater articulateness of primary-age girls, and wondered whether boys might be ruled out unfairly. They reflected that the idea of testing was not consistent with Ministry regulations prescribing continuous progress and classification by age. In short, the principals did get their hands dirty in the data of what the tests could be about.

This same reliance on expertise was evident in Lavery's request for a scientific study by multi-lingual researchers. He wanted such a team to accurately delineate the linguistic habits of the group called "the English." Lavery had some I.O.U.s coming to him at MCSC -- he had directed a MCSC-wide task force on participatory management that none of his francophone counterparts had wanted to oversee but in this instance he was unable to win sufficient MCSC-wide support for a task force which could conduct face-to-face interviews on the backgrounds and orientations of those Quebecers who align themselves with "the English."

Most vigorously of all, Lavery has argued against the Ministry's decision to delegate wide discretionary powers to each school commission for testing. His fear is that inequities will result, that children wishing to be educated in English will seek out Protestant boards that will be more lenient in their testing than French Catholic ones. The two Protestant boards on the Island of

Montreal represent their tests as not being a snap, but teachers in one of those boards did receive non-English-speaking students last fall. Lavery has pointed out that about 600 children who normally would have enrolled in his sector's schools "are unaccounted for and probably are in other Board schools."

Aside from the ethnic priests who facilitate the underground schools, English Catholic officials have had little support from their Church. To be sure, the Montreal Archbishop did express concern that Italian families were withdrawing their children from Catholic schools, but he did not go on to deplore the law which was prompting those parents to opt for a Protestant education. Clerics have not always been so silent in Quebec politics -- their influence was so strong at the start of the 20th century that the type of nationalism prevalent then could be called "national Catholicism." Now though, Church leaders appear relatively immobilized: with their large French-Catholic congregation on one side and their large non-French Catholic population on the other side, it is understandable that the most elevated priests should not want to identify themselves with either one of their two ethnic groupings.

Deprieved of this sort of moral backing, Lavery goes for the nitty-gritty to help his Division survive. Recently he has recommended that the testing regulations be clarified to make explicit what is intended by "sufficient knowledge" for admission to English schools, i.e., Does that phrase mean that the child should have an understanding of English comparable to that of the average child already in a given grade? With support from MCSC's francophones, the anglophones have called for the next round of tests to be validated by the Ministry. A sampling of the previous year's tests indicated to Lavery that the mean scores on auditory comprehension were significant higher than the mean scores on oral expression at the primary level, while the inverse was inexplicably the case at the secondary level. Lavery and his colleagues also questioned the Ministry's

quota system for achieving a balance between children of British and immigrant origin. In his view, present arrangements did not serve simple justice, since admission often depended on where a child lived and the number of places available. The law could be more equitably administered, he said, if the quota system were applied provincially in a fashion not related to the test thresholds. Present indications are that the Ministry has agreed to these refinements and that it may uniformly administer the tests in the future.

MCSC anglophones do not invariably emphasize technical niceties in their endeavors to avoid severe reductions in their organization. The English press considers Lavery, for one, to be "good copy," as he occasionally will scold faceless bureaucrats in the Ministry, i.e., he has termed their testing ideas "absurd" and "reprehensible" and he has been quoted as saying that "I wouldn't be shocked if some nut in Quebec City" were to grossly misinterpret some statistics for Bill 22 that he was ordered to compile. But more often than not, he and his team have focused on narrow practicalities that might lighten the burden of the Bill's regulations.

In his regular strategy sessions with his anglophone commissioners and in his private meetings with francophone ones, Lavery has tried to identify the two sectors' common interests in modifying the Ministry's directives. His search for Catholic consensus has shifted the battle from anglophone schools expanding at the expense of francophone schools to a situation where Protestant boards are perceived as potentially growing at the expense of Catholic ones. The contemporary violence of Ireland, Cyprus, and Israel attests to the grave risk of this sort of religious differentiation, but so far the anglophone Catholics have been utterly low-key about this competition. The Protestants have been equally genteel and soft-spoken in pointing out that there are governmental quotas which limit the growth of their schools. "We couldn't grow by thousands, even if we wanted to," one of the Protestants' spokesmen has said.

All in all, the English Catholics' negotiations for procedural adjustments seem somewhat reminiscent of the advice commonly given to those who are outmatched in committees -- "When bankrupt of new arguments to defeat a motion, openly accept the motion but suggest that the wording could be improved." Lavery's task-oriented approach may be a function of MCSC anglophones being clearly outnumbered by MCSC francophones.

IV. Containing a review of a peak association of Protestants, which has mounted a public battle against redistributive aspects of Bill 22.

Out of their generally superior economic position and out of their general willingness to provide more for education than others, Quebec's Protestants have tapped a share of the province's educational resources that is disproportional to their numbers. Led by Colonel K.D. Sheldrick under the banner of the Quebec Association of Protestant School Boards (QAPSB), some Protestant leaders now are challenging Bill 22. To them, it derogates resources and rights which they have held from the time of Confederation. For purposes of QAPSB's attack, it does not matter that the one million or so English in Quebec have privileges which are denied to many of the one million or so French Canadians outside of Quebec. Rather, QAPSB expects that the French in other provinces should be accorded the rights that the English have in Quebec; thus they oppose anglophone rights in Quebec being levelled down toward the levels inflicted on francophones in other parts of Canada.

To fight Bill 22, QAPSB quickly made available a $100,000 trust fund and engaged a "blue-ribbon" team of lawyers to explore ways that the English language might be defended. Then, as part of a political build-up for a legal case, QAPSB collected over 48,000 signatures on a petition urging that the federal cabinet direct the Supreme Court of Canada to put the Bill as a reference case atop its agenda. QAPSB and concerned Canadians from outside the province

were aware that federal authorities had invited a petition alleging specific infringements to individuals resulting from the application of the Bill. Nonetheless, the petitioners reasoned that the Bill embodied an exceptionally wide range of unconstitutional provisions such as making French the sole official language. Also the Bill took the management of denominational schools away from denominational authorities. QAPSB's position was that these matters would be best considered all together rather than case by case as complaints arose. Some anglophones also said that their omnibus approach would prevent injured parties of the future from having to wait for a decision that would arrive too late to be of practical value to them.

If the Supreme Court chose to uphold Bill 22, the petition's signatories wanted the federal cabinet to direct the country's Governor General to disallow the legislation. QAPSB contended that this could be done using a power that had been invoked 112 times since Confederation, most recently in 1943. The petitioners appreciated that the development of Canadian federalism since World War II argued against disallowance, since this federal prerogative conflicts with the division of powers that federal and provincial governments are sensitive to honoring. Still, the English Protestants thought that the Bill's enactment was problemmatical and extraordinary enough to merit a quashing by the Governor General.

The essence of the plea for disavowal was that the Bill goes against the public interest of Canada as a whole. It undermines the concept of two equal cultures. It employs coercive measures to impose French on, and government control over, some of the chief institutions of Quebec's sizeable English community. The law reaches down into the minutest details of daily life, vesting the provincial government with an unparallelled amount of discretionary power for making absolute and uncontrollable decisions. Its educational sections discriminate against the ethnic groups and against French Canadians who may

wish to send their children to English-language schools. Finally, the law has provisions which are so vague, of such doubtful interpretation and effect, that confusion and injury would result.

Five months after receiving this petition, Trudeau tabled in the Commons his government's answer. Agreeing that the law was not altogether clear, the Prime Minister also expressed regret that parts were not "consistent with contemporary trends toward the expansion of linguistic rights." All the same, Trudeau said he would not intervene at this time. He saw the law as constitutionally valid and as consonnant with various Supreme Court decisions affirming provincial autonomy in education. Additionally, Trudeau believe that the Governor General's disallowance power was to be used only rarely; presumably the Bill was not sufficiently devoid of reason or natural equity to warrant disallowance.

"The only alternative left to my client," said QAPSB's major attorney, is to launch an attack on the law's merits in the lower courts. Before long, ten Protestant boards had filed challenges in seven judical districts of Quebec. All ten actions, which were similarly worded for presentation to a single judge, were joined, and on March 3, 1976 the province's Chief Judge will begin hearing their case. Whatever verdict is reached in Quebec's Superior Court, Protestants anticipate that the case will be appealed to the Supreme Court in Ottawa. Before a final settlement, years may pass and QAPSB may dispense as much as $500,000 in legal fees.

Besides taking exception to Bill 22, QAPSB had considered attacking two other recent pieces of Quebec legislation, Bills 71 and 27. The former established a regional council to distribute school taxes equitably among eight boards on the Island of Montreal; the latter attempted, among other things, to reduce regional disparities by reorganizing 1100 boards off the Island into 168 new boards. Some Protestant policy-makers hold that these two laws have eroded

their administrative rights. For example, as creatures of the Ministry, denominational boards no longer can draft their own curricula, nor can they be the exclusive bargaining agents with their teachers. On the Island of Montreal, boards cannot control their own capital budgets and they are enjoined from surtaxing their constituents even those citizens might be willing to bear additional taxes for additional benefits.

In some anglophone circles, Bills 71 and 27 are perceived as facilitating the redistribution of scarce resources between the relatively affluent and the not-so-affluent. In conversations, French and English officials will both acknowledge that the quality of English schools may suffer as a result. Many francophones think that their anglophone brothers should accept that new situation in the name of social justice and democracy. Some anglophones agree, but others are reluctant to give up the essential features of a status quo which has favored them.

So for a time in 1975 there was some thought given to QAPSB drawing the line against the government's three-Bill intrusions into Protestant autonomy in schools. "People now feel that Bill 71 and Bill 27 are the fathers of Bill 22," one English partisan wrote, "and will likely become the grandfathers of Bill something-else" that could penalize the English community even more. Ultimately QAPSB decided for now to limit its challenge to Bill 22 without confounding their pleadings with other legislation.

In court, QAPSB will ask that nineteen sections of the Bill be declared null and void, as beyond the power of Quebec to enact. QAPSB attorneys will say that with the passage of the BNA Act, Protestants formed (and still form) a class of persons which have by law (and consequently still have) certain rights and privileges to attend and control their own confessional schools. Superior Court will be asked to accept the submission that the Bill excludes from Protestant schools such traditional clients as Greeks, Asians, and Jews. Regardless of

their ability to speak in English, these landed immigrants have a claim on English schools.

From QAPSB's challenge, other Protestant actions flow. Saying that they did not want to jeopardize their court action, Protestant boards in 1974 withdrew their members from a work-group helping the Ministry draft provincial linguistic tests. The largest Protestant board also refused to comply with a Ministry order which implemented Bill 22. A count of the number of non-English children already enrolled in the board's program was requested; the board declined to forward or assemble data, saying that it did not keep such statistics.

This board, the Protestant School Board of Greater Montreal (PSBGM), turned away a Ministry invitation, moreover, to propose amendments to Bill 22's regulations. The only Jew on PSBGM argued that the Bill was something the English community of Quebec would have to live with, and that therefore the board should do its best to make the regulations palatable. Other members of the panel did not accede to this counsel from a representative of an ethnic group has held together over the ages. "Why should we dignify the regulations by commenting on them?" asked the Protestant chairman, the Reverend John Sims.

QAPSB and its ten challenging boards have been the most consistent of the court case's champions. For a combination of reasons, the 23 other Protestant boards in Quebec have decided not to join the action. Some feared that an all-out English assault on the Bill would sour relations between francophones and anglophones. They may have taken a cue from not a few French influentials who thought that the constitutional crusade was inappropriate; Claude Ryan, the widely respected and usually moderate publisher of Le Devoir said in effect that the virulent English criticism of the Bill showed such little understanding of French-Canadian aspirations that perhaps francophones should forget about the English and plan their future without taking the anglophones into account.

No support for the challenge came from the boards' employees. The Protestant teachers union did send a representative to QAPSB-connected caucuses, but he soon withdrew, suspecting that the conferees were too much of a private club, too distant from grassroots sentiments. A key parents federation preferred bringing a case after particular individuals had been aggrieved, when definite points could be tested. Some anglophones believed that the French majority had the legal right to pass the Bill and court action was futile. Finally, some said that the francophones always had been tolerant of minorities in the past; Bill 22 would not change that.

In distinction to impacted individuals and ad hoc groups reviewed earlier in this account, QAPSB's conflict with the authorities has been brought off with all the decorum that one would expect from persons of worth in an orderly and established community. The challengers have not organized or countenanced boycotts, sit-ins, or other disruptions. In Marshall McLuhan's terms, their confrontation has been "cool" -- as opposed to the "hot" reactions of Carol Brophy's father, those secretive and excited teachers and learners in the underground schools, and aroused Italian parents shaking their fists at commissioners in St. Leonard.

Likewise the Protestants' style differs from that of the anglophone Catholics. To proclaim the Bill's injustice, QAPSB has not hesitated to use very public channels of communication. For their part, the anglophone Catholics appear to devote more of their energies to privately suggesting how the law can be made effective (to help them survive). QAPSB Protestants have scorned the vagueness of the Bill; the Catholics seem to find the inexactness an advantage, the better for them to project their own preferred clarifications. The Protestant association has asked that the dispute be settled by the imposition or reaffirmation of the ideology of denominationalism that they subscribe to. Our data suggest that the Catholics incrementally try to resolve issues on the basis of expertise; they

know they have to deal with francophone bureaucrats and commissioners. The initial (and perhaps final) appeal by QAPSB is to federal authorities.

Whether those federal authorities will prove to be very helpful to English Quebecers remains to be seen. One motion that some Quebecois give credance to is that Premier Bourassa believes that by demonstrating the political power of the French over the English minority, he may be able to elicit from Trudeau constitutional concessions (in communications and immigration, for instance) for Quebec. In this way, Bourassa's jurisdiction could finally achieve the same kind of linguistic homogeneity found in most other Canadian provinces. With this sort of cultural sovereignity for francophones written into the constitution, Quebec's Premier may at last defuse the growing separatist movement. In this scenario, the special school and language rights of English Quebecers may be traded-off to stabilize Quebec and to preserve Canadian unity.

This suggestion that Bourassa is saving Canada from the danger of Quebec secession may be an example of the virtues that political spectators ascribe to political incumbents in ambigious times. Politically, Bill 22's significance may be more modest than the weighty federal possibilities alluded to above: it may simply help to create a belief among anglophones about what is proper in the future Quebec. If the Courts affirm the Bill's general direction, English Protestants would receive a strong signal to abandon what has been called their "majority psychology." Some rethinking would have to be done by those who see themselves as an enclave of English Canada, rather than as a subset of the provincial whole. In this scenario, the court cases contribute to changing certain beliefs and behaviors of some Protestants -- and of some anglophone Catholics who are watching the legal suit with fascination. While in all liklihood some English will never accept a pro-francophone decision, the serious and extended debate and airing of perspectives may help others to crystallize new opinions and to rationalize

adjustments to French even being their own primary language. Thus the high-profile and several-year exchange that QAPSB is having with the Bourassa government is providing, at the very least, a chance for anglophones to ready themselves for reforms they do not like but which they may accept in the interests of social coexistence.

At the very most of course, QAPSB's court action may lead to the striking-down of sections whose ends and standards are deemed unjust. The presiding judge in the Quebec Superior Court is known for his independent and acute mind. So, it is entirely possible that he may agree that QAPSB has a valid point, for example, when it complains of the expense that Bill 22 puts on English boards who must use French in drawing up documents and communicating with governments, individuals, and their own employees.

V. A diagramattic summary of general points and a listing of three possible limitations to this presentation.

What this paper has not treated is the reactions of the francophone nationalists to Bill 22. In short, they regard the legislation as a sellout to anglophones. It does not go far enough or fast enough in creating a true French state.

What this paper has tried to offer is something of a "feel" for the Quebec context and its language politics. Data have been sorted-out in terms of three types of issues that have characterized much of the recent activities of those who believe that Bill 22 goes too far in reducing some individual rights. The patterns that emerge may provide some clues that help in comprehending the province's phenomena at a general level.

Table 1 summarizes the distinct character of each of the three types of political issues.

TABLE 1: MAJOR POLITICS OF ANGLOPHONES WHO ARE CONTESTING ASPECTS OF BILL 22

Issue	Prime Activists	Main Aim	Contesting Elements	Tactics
Distributive	Individuals and ad hoc immigrant groups	Disaggregation of Bill's enrollment impact; access to English schools	Non-elite, with media support vs. decision-making elite.	"Hot" conflictual; pressures for special exceptions; mutual non-interference with others
Regulatory	Laymen who are English Catholic leaders	Stability of organization; softening of Bill's enrollment impact	Linguistic sectors organized into administrative units; provincial functionaries	Pragmatic bargaining; use of technical expertise; bargaining; rather private
Redistributive	An English Protestant "peak" organization	Rejection of Bill as unconstitutional and harmful to the public interest of Canada	Elite vs. decision-making elite	"Cool" conflictual; going through the "proper" judicial channels; very public

Some limitations to this study should be enumerated. First, Bill 22 still is relatively new and the ultimate anglophone responses may be quite different from what we have sketched here. Hence our depiction must remain tentative.

A second drawback to this study is that it has been difficult to confine the discussion only to the educational aspects of the Bill. The law is so intimately entwined with the theme of Quebecois nationalism that one must be cursory if space is limited.

Some may claim as a limitation that our subject is not all that important in itself. Historical and social forces may be more vital in affecting the relationships of ethnic groups than legislation and the ways in which people cope with that

legislation. Thus early contacts of great symbolic significance, such as the battle on the Plains of Abraham in 1759, may color and stereotype the light in which Quebec's francophones and anglophones regard each other. By this deterministic reckoning, Bill 22 was inevitable for French survival and its sting could not be lessened by "the English."

This paper rejects such fatalism. Our premise is that there is contingency and open-endedness to the distributive, regulatory, and redistributive aspects of Bill 22 and to Quebec's future. It is asserted that major activists, contesting elements, and tactics can make a difference.

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